IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Writ Petition No. 870 of 2007

1. Zensar Technologies Ltd.
and another ..Petitioners

vs.

1. The Oriental Insurance Co.
andanother ..Respondents

Mr.Benjis Colabawala i./b M/s Desai and Chinoy for petitioners.
Mr.V.Y.Sanglikar for respondent no.1.

CORAM: SWATANTER KUMAR C.J.
& S.C.DHARMADHIKARI J.
23rd April, 2007

P.C.

1. After some arguments the learned Counsel appearing for the parties submit that the petition can be disposed of without prejudice to their rights and contentions in the following terms.

a) The petitioner/respondent before the authority shall be permitted to lead evidence by way of rebuttal limited to the report of Shri Joshi and on no other factor. The applicant would be entitled to one opportunity only and no further adjournment. In the event the petitioner in this petition fails to lead evidence by way of rebuttal on that date benefit accruing from this order shall be deemed to have been withdrawn and the authority shall be at liberty to proceed in accordance with law.

b) The parties shall appear before the authroity on 7th June, 2007.

c) Liberty to serve the witness by summons/hamdust and it shall be the responsibility of the petitioner to produce the said witness.

2. Petition is disposed of.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI J.)